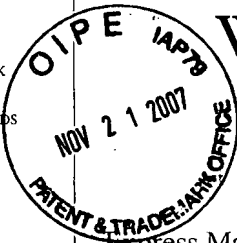


RICK D. NYDEGGER  
BRENT P. LORIMER  
THOMAS R. VUKSINICK  
LARRY R. LAYCOCK  
JONATHAN W. RICHARDS  
DAVID R. WRIGHT  
JOHN C. STRINGHAM  
JOHN M. GUYNN  
CHARLES L. ROBERTS  
DANA L. TANGREN  
ERIC L. MASCHOFF  
CHARLES J. VEVERKA  
ROBYN L. PHILLIPS  
RICHARD C. GILMORE \*  
STERLING A. BRENNAN  
R. BURNS ISRAELSEN  
DAVID R. TODD  
DAVID B. DELLENBACH  
L. DAVID GRIFFIN  
ADRIAN J. LEE  
FRASER D. ROY  
CARL T. REED  
R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.



ROBERT E. AYCOCK  
JENS C. JENKINS  
MICHAEL B. DODD  
BRETT I. JOHNSON  
SARA D. JONES  
TIGE KELLER  
JANNA J. LEWIS  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
WESLEY C. ROSANDER  
RYAN N. FARR  
WILLIAM R. RICHTER  
KEVIN W. STINGER  
MATTHEW D. TODD  
MATTHEW A. BARLOW  
ANDREW S. HANSEN  
CHAD E. NYDEGGER  
JOSEPH G. PIA  
CLINTON E. DUKE  
JAMES B. BELSHE  
KIRK R. HARRIS  
MICHAEL M. BALLARD  
DAVID A. JONES  
SHANE K. JENSEN  
JONATHAN M. BENNS, PH.D.  
SCOTT A. WOODBURY  
JOHN T. GADD  
MARK W. FORD  
COLBY C. NUTTALL  
AARON M. SMITH  
KULANIAKEA FISHER  
THOMAS M. BONACCI  
PAUL G. JOHNSON  
GREGORY R. LUNT  
AMBER B. LEAVITT  
JEFFERY M. LILLYWHITE  
HEATHER MANWARING  
JOHN C. BACCOCH  
PAUL N. TAYLOR  
RONALD J. WARD

VERNON R. RICE §  
OF COUNSEL



# WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

11-23-07  
162  
1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE: (801) 533-9800  
FAX: (801) 328-1707  
WEBSITE: HTTP://WWW.WNLAW.COM

Express Mailing Label No. EV 695936864 US

PATENT APPLICATION  
Docket No: 13914.579.11

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :

Scott R. Watterson et al.

Serial No.: 10/674,911

) Art Unit  
) 3764

Confirmation No.: 8978

Filed: September 29, 2003

For: SYSTEMS AND METHODS FOR  
CONTROLLING THE OPERATION  
OF ONE OR MORE EXERCISE  
DEVICES AND PROVIDING  
MOTIVATIONAL PROGRAMMING

Customer No.: 022913

Examiner: Glenn E. Richman

### TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

— Statement of relevance of selected cited references not in the English language which are not translated.

— Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

\_\_\_\_ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

X Form PTO-1449 listing 75 references submitted for consideration.

X Copies of 49 of the references listed on the Form PTO-1449.

\_\_\_\_ English translations of «FormData» («FormData») of the references listed on the Form PTO-1449 which are not in the English language.

\_\_\_\_ Copies of the following documents from the prosecution of a previous, related application:

\_\_\_\_ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and

\_\_\_\_ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

I. \_\_\_\_ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.

II. X Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:

\_\_\_\_ Promptness Certification; or

X Payment by credit card using the payment option in E-Filer with RAM will be used to cover the payment of the fees with respect to this Information Disclosure Statement.

III. \_\_\_\_ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

\_\_\_\_ Promptness Certificate;

\_\_\_\_ Petition for Consideration; and

— Check No. in the amount of «FormData» constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. — After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

— Petition to Withdraw from Issue; and

— Check No. «FormData» in the amount of «FormData» constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

— The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

— The submission fee set forth in 37 C.F.R. § 1.17(p).

— The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 21<sup>st</sup> day of November 2007.

Respectfully submitted,



J. Dustin Howell

Registration No. 60,701

Attorney for Applicants

**Customer No. 022913**

Telephone No. (801) 533-9800

Fax No.: (801) 328-1707

dhowell@wnlaw.com

DBD:llc:jbe  
Enclosures  
LLC0000000232V001



Express Mailing Label No. EV 695936864 US

PATENT APPLICATION

Docket No: 13914.579.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)	
		)	
	Scott R. Watterson et al.	)	
		)	
Serial No.:	10/674,911	)	Art Unit
		)	3764
Confirmation No.:	8978	)	
		)	
Filed:	September 29, 2003	)	
		)	
For:	SYSTEMS AND METHODS FOR	)	
	CONTROLLING THE OPERATION OF ONE	)	
	OR MORE EXERCISE DEVICES AND	)	
	PROVIDING MOTIVATIONAL	)	
	PROGRAMMING	)	
		)	
Customer No.:	022913	)	
		)	
Examiner:	Glenn E. Richman	)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth

in 37 C.F.R. § 1.56. Moreover, no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

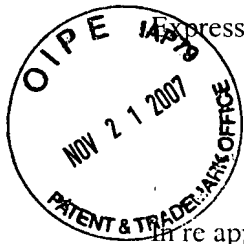
DATED November 21<sup>st</sup>, 2007.

Respectfully submitted,



J. Dustin Howell  
Registration No. 60,701  
Attorney for Applicants  
**Customer No. 022913**  
Telephone No. (801) 533-9800  
Fax No.: (801) 328-1707  
dhowell@wnlaw.com

JDH: cad:jbe  
W:\13914\579.11\LLC0000000233V001.doc



Express Mailing Label No. EV 695936864 US

PATENT APPLICATION  
Docket No: 13914.579.11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :

Scott R. Watterson et al:

Serial No.: 10/674,911

) Art Unit  
) 3764

Confirmation No.: 8978

Filed: September 29, 2003

For: SYSTEMS AND METHODS FOR  
CONTROLLING THE OPERATION  
OF ONE OR MORE EXERCISE  
DEVICES AND PROVIDING  
MOTIVATIONAL PROGRAMMING

Customer No.: 022913

Examiner: Glenn E. Richman

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 21<sup>st</sup> day of November 2007:

- Transmittal for Information Disclosure Statement (3 pages)
- Information Disclosure Statement (2 pages)
- Form-PTO-1449 (7 pages)
- Copies of 49 references (including 5 DVDs)
- Credit Card Payment Form in the amount of \$180.00
- Postcard

Respectfully submitted,

J. Dustin Howell  
Registration No. 60,701  
Attorney for Applicants  
**Customer No. 022913**  
Telephone No. (801) 533-9800  
Fax No.: (801) 328-1707  
dhowell@wnlaw.com